

# UNITED STATES DISTRICT COURT

## **Northern District of California**

McHugh,

**Plaintiff(s),**

07-03677 JSW

## **NOTICE RE: NONCOMPLIANCE WITH COURT ORDER**

## Hillerich & Bradsby Company,

**Defendant(s).**

The parties have failed to file an ADR Certification and either a Stipulation and [Proposed] Order Selecting an ADR Process or a Notice of Need for ADR Phone Conference as required by the Initial Case Management Scheduling Order. Counsel shall Meet and Confer forthwith in an attempt to agree on an ADR process for this matter. Thereafter, counsel, on behalf of themselves and each party, promptly shall file an **ADR Certification** and either 1) a **Stipulation and [Proposed] Order Selecting ADR Process**, or 2) a **Notice of Need for ADR Phone Conference** (Civil L.R. 16-8(b), ADR L. R. 3-5(b) Civil L.R. 16-8(c), ADR L. R. 3-5(c), (d)). (These forms are available at [www.adr.cand.uscourts.gov](http://www.adr.cand.uscourts.gov).)

Further, in accordance with ADR L.R. 3-5(e) counsel shall concurrently provide a copy of all documents filed pursuant to this notice directly to the ADR Unit either by fax (415-522-4112), hand delivery (ADR Program, USDC, Northern District of California,

1 450 Golden Gate Avenue, 16<sup>th</sup> Floor, San Francisco, California), or by PDF attachment  
2 to an e-mail directed to [adr@cand.uscourts.gov](mailto:adr@cand.uscourts.gov).

3  
4 It is the responsibility of counsel to schedule an ADR Phone Conference, if  
5 required, to occur before the Case Management Conference.  
6  
7

8 Dated: January 8, 2008

9 RICHARD W. WIEKING  
10 Clerk  
by: Timothy J. Smagacz

11 

12 ADR Administrative Assistant  
13 415-522-4205  
Tim\_Smagacz@cand.uscourts.gov

**PROOF OF SERVICE**

Case Name: McHugh v. Hillerich & Bradsby Company

Case Number: 07-03677 JSW

I declare that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California. I am over the age of eighteen (18) years and not a party to the action. My business address is:

ADR Program  
United States District Court  
Northern District of California  
450 Golden Gate Avenue Floor 16  
San Francisco, CA 94102

On January 8, 2008, I served a true and correct copy of:

**Notice Re: Noncompliance With Court Order**

[X] electronically, I caused said documents to be transmitted using ECF as specified by General Order No. 45 to the following parties:

Vernon Randall Gard  
Carr & Ferrell LLP  
2200 Geng Road  
Palo Alto, CA 94303

Robert Joseph Yorio  
Carr & Ferrell LLP  
2200 Geng Road  
Palo Alto, CA 94303  
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Christopher Paul Grewe  
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Laura Ann Wytsma  
LOEB & LOEB LLP  
10100 Santa Monica Boulevard  
Suite 2200

Los Angeles, CA 90067-4120  
lwyttsma@loeb.com

[ ] by Facsimile, I caused said documents to be transmitted to the following parties by fax machine:

[ ] by U. S. Mail, I placed a true copy in a sealed envelope with postage fully prepaid in the United States Post Office Mail Box in San Francisco, California, addressed as follows:

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed on January 8, 2008 in San Francisco, California.

RICHARD W. WIEKING  
Clerk  
by: Timothy J. Smagacz



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ADR Administrative Assistant  
415-522-4205  
Tim\_Smagacz@cand.uscourts.gov